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August 16, 1996

BY MESSENGER

DOCKET FILE COPY ORIGINAL

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: In the Matter of Advanced Television  
Systems and Their Impact Upon the Existing  
Television Broadcast Service  
MM Docket No. 87-268

Dear Mr. Caton:

The Association for Maximum Service Television ("MSTV"), pursuant to Section 1.1206(a)(2) of the Commission's Rules, hereby submits the enclosed letter containing MSTV's comments on the Public Safety Wireless Advisory Committee's final draft report, which considered the propriety of using spectrum that broadcast channels 60-69 occupy for Public Safety operations. MSTV strenuously opposes such use.

Sincerely,



Ellen P. Goodman  
Attorney for  
Association of Maximum  
Service Television, Inc.

Enclosure

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August 16, 1996

**VIA FACSIMILE**

Mr. Michael Amarosa  
Deputy Commissioner for  
Technology and Systems Development  
New York Police Department  
New York, New York

Re: Public Safety Wireless Advisory Committee  
Draft Final Report No. WT 96-14

Dear Mr. Amarosa:

This letter is in response to the Public Safety Wireless Advisory Committee's request for comments on its Draft Final Report, dated August 7, 1996. That report states that some of the perceived spectrum shortages for Public Safety uses could be alleviated by making some of the spectrum presently used for television broadcast channels 60-69 available as soon as possible. The Association for Maximum Service Television ("MSTV") strongly opposes such use for the following reasons.

Broadcasters are now undertaking the fearsome task of upgrading the public's free, over-the-air broadcast service to advanced digital television ("DTV"). Doing so will require that all stations be assigned DTV channels within the existing broadcast allocation. Such DTV channels must replicate the public's existing service areas with minimum interference and with no new spectrum.

Allowing Public Safety operations to share spectrum in channels 60-69 is a terrible idea. As you know, the entire broadcast band (including channels 60-69) is necessary to accomplish the transition to DTV in a way that preserves the quality of the public's existing analog ("NTSC") television service and provides the highest quality DTV service. It is

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likely that a significant number of stations will need DTV channels in the channel 60-69 range. Furthermore, there are 97 full power television stations currently operating in these channels would have to be protected as would any DTV stations assigned to this range.<sup>1/</sup> As a result, there would be very little spectrum available for Public Safety operations. This is especially true in the major markets where Public Safety's needs are greatest.

Six years of work on DTV allotments and assignments convince us that refraining from using channels 60-69 for DTV would seriously injure the public's television service and reduce the likelihood that the important transition to DTV will succeed. The following are some of the problems with not using channels 60-69 for DTV and, conversely, with using channels 60-69 for non-broadcast uses.

(1) It would rob the transition process of critical flexibility. The loss of channels 60-69 would make it very difficult to accommodate adjustments to DTV channel assignments that will be necessary as the public and industry begin to experience digital transmissions in a real world environment, the DTV field tests having operated in this mode for only 35 hours;

(2) It would require cramming many more DTV channels into spectrum below channel 60, one consequence of which would be increased interference to existing NTSC service;

(3) The same over-crowding of the lower channels would reduce DTV coverage; and

(4) There would be a displacement of all NTSC translator and low power television ("LPTV") stations that provide television service to niche, remote or hard-to-reach audiences. There are some 1850 of these stations in channels 60-69. There would be an even greater displacement of NTSC translators and LPTVs in the lower channels due to

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<sup>1/</sup> See In the Matter of Advanced Television Systems and their Impact upon the Existing Television Broadcast Service, Sixth Further Notice of Proposed Rule Making, MM Docket No. 87-268 (released August 14, 1996), at 13.

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the greater use of these channels for main-station DTV channels. The greater difficulty due to this congestion of finding channels for these translator and LPTV stations would destroy this valued, albeit secondary, service to the American public.

Inter-service sharing is a poor way to manage spectrum in most cases.<sup>2/</sup> In this case, it would do great harm to the public's television service and little good for Public Safety operations. Channels 60-69 are needed for the transition to digital television and, in any case, protecting the existing television stations from interference would leave little or no spectrum for Public Safety. When the transition to DTV is complete (and this will happen sooner rather than later if the entire broadcast spectrum band is devoted for that purpose), there will be abundant spectrum in what is now the broadcast band for Public Safety to seek.

Sincerely,



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<sup>2/</sup> See generally MSTV Comments Submitted for the FCC March 5, 1996 En Banc Hearing on Spectrum Policy (February 20, 1996).